

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
UNITED STATES OF AMERICA)
) 4:24-cr-00489
)
)
)
CHAKRAVERTY ET AL)

JOINT MOTION TO CONTINUE HEARING

COMES NOW DEFENDANTS SHIJING CAO, by and through her attorney, Beau B. Brindley, and SIDARTH CHAKRAVERTY, by and through his attorney, Renato Mariotti, and hereby move the Court to continue the hearing scheduled for October 23, 2024. In support, they state as follows:

On September 30, 2024, the Court set a status hearing for October 4, 2024, at 11:00am to “take up Defendant Alston's motion for time to file pretrial motions, Defendants Chakraverty and Cao's requests for a speedy trial, and the United States' motion for a conflict inquiry” Dkt. 36. That date was later continued to October 23, 2024, initially because of counsel Brindley and counsel Mariotti’s unavailability due to an ongoing trial, and then later on motion of the government due to government counsel’s unavailability.

The unavailability of the undersigned counsel continues and will remain on October 23. The undersigned attorneys are each currently representing separate defendants in an ongoing trial in the Central District of California, *United States v. Rhew et al*, 2:18-cr-00594. That trial is now expected to last until at least October 24, 2024. The *Rhew* trial was initially estimated to conclude by October 11; however, multiple trial days have been lost due to issues including government counsel illness, witness travel and availability, and a medical issue resulting in the need to invoke Federal Rule of Criminal Procedure 25 and reassign the case to a new judge mid-trial, with the

accompanying need for the new judge to obtain and review transcripts to familiarize himself with the proceedings. The trial is thus taking substantially longer to complete than any party had any reason to expect that it would. Closing arguments are currently expected to begin on approximately October 23.

Because of the issues involved in the status hearing, the undersigned counsel must be present personally instead of relying on standby counsel as they did for the arraignment before the duty magistrate on September 27. Thus, Defendants Cao and Chakraverty request that the hearing be rescheduled for the week of October 28, 2024, to ensure they can complete the *Rhew* trial and be able to plan for and travel across the country to be present for the hearing. The undersigned is also filing a response to the government's motion for conflict inquiry, and has filed a motion to modify a critical condition of Ms. Cao's release. These issues should also be addressed at the hearing.

Counsel for the government is aware of this ongoing trial. Undersigned counsel expect that neither the government nor counsel for Co-defendant Alston will take any position on this motion.

WHEREFORE, Defendants Shijing Cao and Sidartha Chakraverty respectfully request that this Honorable Court continue the October 23 status hearing.

Respectfully submitted,
Shijing Cao

By: s/ Beau B Brindley

Sidartha Chakraverty

By: s/ Renato Mariotti

LAW OFFICES OF BEAU B. BRINDLEY
53 West Jackson Blvd.

Suite 1410
Chicago, Illinois 60604
312.765.8878
bbbrindley@gmail.com

Renato Mariotti
renatomariotti@paulhastings.com
71 South Wacker Drive, 45th Floor
Chicago, IL 60606
Telephone: (312) 499-6005
Fax: (312) 499-6105